

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FKA GABRIEL STROTHERS)	
LEONIDAS STROTHERS)	
)	CIVIL ACTION FILE NO.
PLAINTIFF,)	
)	_____
v.)	
)	
FKA FACEBOOK, INC.)	Superior Court of Gwinnett
META PLATFORMS, INC.,)	County Civil Action File
)	No. 23-A-04019-6
DEFENDANT.		

NOTICE OF REMOVAL

COMES NOW META PLATFORMS, INC. (hereinafter “Meta”), Defendant in the above-styled civil action, and within the time prescribed by law, files this Notice of Removal, by and through undersigned counsel, and pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and respectfully shows the Court the following facts:

PROCEDURAL BACKGROUND

1. Plaintiff Gabriel Strothers (“Plaintiff”) filed a Complaint on May 9, 2023 against Meta in the Superior Court of Gwinnett County, Civil Action No. 23-A-04019-6, which county is within the Atlanta Division of this Court.
2. Meta was served with a copy of the Complaint on May 11, 2023.

3. As of this date, no further pleadings have been filed in the action and no proceedings have been conducted in the action.

GROUND FOR REMOVAL

4. Plaintiff's action is removable based on the presence of federal diversity jurisdiction. This Court has original jurisdiction over this action under the provision of Title 28 of the United States Code Section 1332 as one which may be removed to this Court by Meta pursuant to the provisions of Title 28 of the United States Code Section 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs and is between citizens of different states.

5. This action meets these jurisdictional requirements. First, the parties are completely diverse.

6. On the face of the Complaint, Plaintiff avers that he is a resident and citizen of Georgia. (Complaint, p. 1).

7. Meta is a United States corporation incorporated in the State of Delaware and has its principal place of business in Menlo Park, California. Meta's officers "direct, control, and coordinate the corporation's activities" in California. *Hertz Corp. v. Friend*, 559 U.S. 77, 92–93 (2010) (defining "principal place of business"). California is home to Meta's headquarters—its "nerve center," and the

“actual center of direction, control, and coordination” for the company. *Id.* Meta is not incorporated in Georgia. Meta is thus a citizen of both Delaware and California—not of Georgia. *See* 28 U.S.C. § 1332 (“[A] corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business.”); *see also Ralls v. Facebook*, 221 F. Supp. 3d 1237, 1243 n.4 (W.D. Wash. 2016) (taking judicial notice of Meta (f/k/a Facebook) SEC filings to establish that Meta is a Delaware corporation with its principal place of business in California).

8. The amount in controversy requirement is also satisfied. Plaintiff’s Complaint seeks a sum in excess of \$75,000.00 as Plaintiff seeks, among other things, to recover damages for alleged emotional distress in the amount of \$200,000.00 and alleged mental anguish abuse in the amount of \$200,000.00 (Complaint, p. 25).

9. Meta shows this Notice of Removal is filed within thirty (30) days from the date it was first served with the Complaint. Therefore, this removal is timely under 28 U.S.C. § 1446(b).

10. Meta attaches hereto copies of all summons, process, pleadings, and orders served upon it in this case, such copies being marked Exhibit “A”.

11. Meta has given written notice of the filing of this Notice of Removal to the Plaintiff. Defendant Meta filed a written notice with the Clerk of the Superior Court of Gwinnett County, copy of said Notice being marked as Exhibit “B”.

CONCLUSION

WHEREFORE, Defendant, Meta Platforms, Inc., prays the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

Dated this 12th day of June, 2023.

SWIFT, CURRIE, MCGHEE & HIERS, LLP

By: /s/ Lee Clayton
Lee Clayton
Georgia State Bar No. 601004
Alex McDonald
Georgia State Bar No. 261161
Attorneys for Defendant
Meta Platforms, Inc.

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7.1 CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1D of the Northern District of Georgia, I hereby certify that this document was prepared in Times New Roman font, 14 point, pursuant to L.R. 5.1(C).

This 12th day of June, 2023.

SWIFT, CURRIE, MCGHEE & HIERS, LLP

By: /s/ *Lee Clayton*
Lee Clayton
Georgia State Bar No. 601004
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Georgia State Bar No. 261161
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CERTIFICATE OF SERVICE

I certify that I have this day electronically filed the foregoing **NOTICE OF REMOVAL** with the Clerk of Court via the Court's electronic filing system which electronically serves a copy of same upon all parties of record and/or United States mail, postage prepaid, and properly addressed as follows:

FKA GABRIEL STROTHERS,
LEONIDAS STROTHERS
4485 Lawrenceville Hwy # 207
Lilburn, Georgia 30047
gabe2764@gmail.com
Pro Se Plaintiff

Dated this 12th day of June, 2023.

SWIFT, CURRIE, McGHEE & HIERS, LLP

By: /s/ Lee Clayton
Lee Clayton
Georgia State Bar No. 601004
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Georgia State Bar No. 261161
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